

FILED

May 13 2010

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 09-0653

FILED

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

MAY 13 2010

STATE OF MONTANA,

Plaintiff and Appellee,

v.

JEREMY ERMEY,

Defendant and Appellant.

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

ORDER

The record was filed for purposes of this appeal on March 9, 2010. Nothing further has been filed, and Appellant's opening brief is now overdue.

THEREFORE,


IT IS ORDERED that the Appellant shall prepare, file and serve the opening brief in this appeal within 30 days of the date of this Order. Failure to file the brief within that time will result in dismissal of this appeal with prejudice and without further notice.

The Clerk is directed to provide copies of this order to all counsel of record and to Jeremy Ermey personally.

DATED this 3<sup>rd</sup> day of May, 2010.

For the Court,

By



Chief Justice